IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 6792 of 2005

Between:

D. Satyanarayana S/o. Narsaiah
R/o. Dattaipalli Village, Turkapalli Mandal, Nalgonda District.

..... PETITIONER

AND

1 The District Collector, Nalgonda, Nalgonda District.
2 The Revenue Divisional Officer, Bhongir, Nalgonda District.
3 The Mandal Revenue Officer, Turkapalli Mandal, Nalgonda District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 3rd respondent in passing the Order in proceedings No. C/1394/2004 dt. 19-11-2004 and trying to evict the petitioner from the Room on a 16 Sq. yards of plot situated at Dattaipalli Village, Turkapalli Mandal, Nalgonda District, as bad, arbitrary, illegal and violative of principles of natural justice and consequently direct the respondents not to interfere with the peaceful possession and enjoyment of the petitioner in respect of Hotel Room on a 16 Sq. Yards of plot situated at Dattaipalli Village, Turkapalli Mandal, Nalgonda District.

Counsel for the Petitioner: MR.C.DAMODHAR REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court, at the stage of admission, made the following :

ORDER:

This writ petition is filed challenging the order dated 19.11.2004 passed by the third respondent-Mandal Revenue Officer, Turkapalli Mandal, Nalgonda District directing the Assistant Revenue Inspector, Turakapalli to evict the petitioner from the house situated at Dattaipalli village.

Against the impugned order passed under Section 6 of the A.P.Land Encorachment Act, 1905 (for short “the Act”), an efficacious alternative remedy of appeal is available under Section 10(1) of the Act. Without exhausting the said remedy, the petitioner cannot maintain this writ petition.

Accordingly, the writ petition is disposed of granting leave and liberty to the petitioner to workout appropriate remedy as available under law. No costs.

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30.03.2005

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To

1 The District Collector, Nalgonda, Nalgonda District.
2 The Revenue Divisional Officer, Bhongir, Nalgonda District.
3 The Mandal Revenue Officer, Turkapalli Mandal, Nalgonda District.
4 Two CCs to the G.P. for Revenue, High Court of A.P., Hyderabad (OUT)

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